

MAR 23 2015

TONY H. MOORE, CLERK  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT, LOUISIANA

BY:

  
**DON BAKER**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

CIVIL ACTION NO. 3:14-cv-0138

VS.

SECTION P

JUDGE DONALD E. WALTER

**CLIFFORD ROYCE STRIDER, III,  
ET AL.**

**MAGISTRATE JUDGE KAREN L. HAYES**

**JUDGMENT**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record;

**IT IS ORDERED THAT** this action – insofar as it seeks money damages for false arrest, imprisonment and prosecution of the pending simple arson charges under Docket No. 63374 – be **STAYED** under the following conditions:


- a. If plaintiff intends to proceed with his claims, within thirty (30) days of the date the criminal proceedings against him have concluded he must file a motion asking the court to lift the stay;
- b. If the stay is lifted and the court finds plaintiff's claims would impugn the validity of his conviction, the action will be dismissed under *Heck*; if no such finding is made, the action will proceed at that time, absent some other bar to suit. See *Wallace*, 127 S.Ct. at 1098; and,
- c. In light of the stay, plaintiff **SHALL NOT** file any additional documents in this action until the state court proceedings have concluded; and,

**IT IS FURTHER ORDERED THAT** this action – insofar as it seeks money damages for false arrest, imprisonment, and prosecution of the cyberstalking charges under Docket No. 56748 – be **DISMISSED WITH PREJUDICE** as frivolous until such time as plaintiff can demonstrate that he can meet the *Heck v. Humphrey* conditions;

**IT IS FURTHER ORDERED THAT** this action – insofar as it seeks money damages for false imprisonment based upon plaintiff's assertion that he has completed his cyberstalking sentence and bonded out on the arson charge – be **DISMISSED WITH PREJUDICE** as frivolous until such time as plaintiff can demonstrate that he can meet the *Heck v. Humphrey* conditions; and,

**IT IS FURTHER ORDERED THAT** this action – insofar as it seeks the dismissal of the pending criminal charges and plaintiff's immediate release – be **DISMISSED** for failing to state a claim for which relief may be granted pursuant to Section 1983.

**THUS DONE AND SIGNED**, in chambers, in Shreveport, Louisiana, on this 23  
day of March, 2015.



**DONALD E. WALTER**  
**UNITED STATES DISTRICT JUDGE**